



# ZONING ADVISORY PANEL

September 8, 2021



# VESTED RIGHTS

\*See Section 24 of the Helena Valley Zoning Regulations for full details

# SUBDIVISIONS

- Subdivision Applications deemed sufficient prior to the adoption of the zoning regulations can proceed.

# EXEMPTIONS

- Subdivision Exemptions with concept approval from Survey Review Committee prior to the adoption of the zoning regulations can proceed.

## PRIVATE AGREEMENTS

- The Zoning Regulations do not nullify easements, covenants, or similar private agreements.

## TERMINATION OF VESTED RIGHTS

- Vested rights terminate with the expiration of preliminary plat approval, unless extended by the Commissioners.



# NON-CONFORMITY

\*See Section 18 of the Helena Valley Zoning Regulations for full details

# INTENT

**Recognize the lawful use of existing land and structures and allow it to continue**

- If it existed lawfully or was lawfully under construction at the time of adoption of regulations
- Non-conformity is not affected by changes in ownership, i.e. runs with the land
- Existing undeveloped lots may be developed in compliance with the regulations

# CHANGES PERMITTED

- Routine maintenance and repair or modifications required for health and safety
- Structure partially or wholly within a setback may be expanded in a direction away from the setback
- Use partially or wholly within a setback may be expanded subject to a Conditional Use Permit
- Structure or use damaged or destroyed by fire or natural disaster may be restored if restoration begins within 2-years of occurrence

# Parcels Less than 10-acres in Rural Residential District

Based on Dept. of Revenue Data

Excludes all Part-1 Districts, both Fort Harrison Zone Districts

Represents 5.91 percent of 181,736 acres

